

## SUPPLEMENTAL FOREIGN ASSISTANCE AUTHORIZATION

DECEMBER 21, 1970.—Ordered to be printed

Mr. MORGAN, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany H.R. 19911]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19911) to amend the Foreign Assistance Act of 1961, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

*That this Act may be cited as the "Special Foreign Assistance Act of 1971".*

*SEC. 2. There are authorized to be appropriated to the President for the fiscal year 1971 not to exceed—*

(1) \$85,000,000 for additional military assistance and \$70,000,000 for special economic assistance for Cambodia;

(2) \$100,000,000 for economic and military assistance programs to replace funds which were transferred by the President for use in Cambodia;

(3) \$150,000,000 for additional military assistance for the Republic of Korea;

(4) \$30,000,000 for additional military assistance for Jordan;

(5) \$3,000,000 for additional military assistance for Indonesia and \$10,000,000 to replace funds transferred from other programs for use in Indonesia;

(6) \$5,000,000 for additional military assistance for Lebanon;

(7) \$65,000,000 for additional supporting assistance for Vietnam;  
and

(8) \$17,000,000 for additional general military assistance to compensate for a shortage in anticipated recovery of funds from past years' programs.

SEC. 3. The President is authorized, until June 30, 1972, to transfer to the Republic of Korea such defense articles located in Korea and belonging to the Armed Forces of the United States on July 1, 1970, as he may determine, except that no funds heretofore or hereafter appropriated under this Act or the Foreign Assistance Act of 1961 shall be available for reimbursement to any agency of the United States Government for any transfer made pursuant to this section.

SEC. 4. Except as otherwise provided in this Act, any assistance furnished out of funds appropriated under section 2 of this Act and any transfer made under section 3 of this Act shall be furnished or transferred, as the case may be, in accordance with all of the purposes and limitations applicable by statute to that type of assistance or transfer under the Foreign Assistance Act of 1961 (including the provisions of section 652 of such Act, as added by section 8 of this Act).

SEC. 5. Section 402 of the Foreign Assistance Act of 1961 (22 U.S.C. 2242) is amended by adding at the end thereof the following new sentence: "None of the funds authorized by this section shall be made available to the Government of Vietnam unless, beginning in January 1971, and quarterly thereafter, the President of the United States shall determine that the accommodation rate of exchange between said Government and the United States is fair to both countries."

SEC. 6. (a) Section 451(a) of the Foreign Assistance Act of 1961, relating to the contingency fund, is amended—

(1) by striking out "for the fiscal year 1971 not to exceed \$15,000,000" and inserting in lieu thereof "for the fiscal year 1971 not to exceed \$30,000,000"; and

(2) by striking out the period at the end thereof and inserting the following: ": Provided, That, in addition to any other sums available for such purpose, \$15,000,000 of the amount authorized for the fiscal year 1971 may be used only for the purpose of relief, rehabilitation, and reconstruction assistance for the benefit of cyclone, tidal wave, and flood victims in East Pakistan."

(b) Excess foreign currencies held in Pakistan not allocated on the date of enactment of this section are authorized to be appropriated for a period of one year from such date of enactment to help Pakistan withstand the disaster which has occurred.

SEC. 7. (a) In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia, or to provide United States advisers to or for Cambodian military forces in Cambodia.

(b) Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.

SEC. 8. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 652. LIMITATION UPON ADDITIONAL ASSISTANCE TO CAMBODIA.—The President shall not exercise any special authority granted to him under sections 506(a), 610(a), and 614(a) of this Act for the purpose of providing additional assistance to Cambodia, unless the President,

*at least thirty days prior to the date he intends to exercise any such authority on behalf of Cambodia (or ten days prior to such date if the President certifies in writing that an emergency exists requiring immediate assistance to Cambodia), notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended exercise, the section of this Act under which such authority is to be exercised, and the justification for, and the extent of, the exercise of such authority."*

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same.

THOMAS E. MORGAN,  
CLEMENT J. ZABLOCKI,  
WAYNE L. HAYS,  
E. ROSS ADAIR,  
WILLIAM S. MAILLIARD,  
PETER H. B. FRELINGHUYSEN,  
*Managers on the Part of the House.*

JOHN SPARKMAN,  
MIKE MANSFIELD,  
FRANK CHURCH,  
GEORGE D. AIKEN,  
CLIFFORD P. CASE,  
JOHN SHERMAN COOPER,  
JOHN J. WILLIAMS,  
*Managers on the Part of the Senate.*

## STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19911) to amend the Foreign Assistance Act of 1961, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendments struck out all of the House bill after the enacting clause and inserted a substitute text and provided a new title for the House bill.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate to the text of the bill, with an amendment which is a substitute for both the text of the House bill and the Senate amendment to the text of the House bill, and also recede from its disagreement to the amendment to the title.

The differences between the House bill and the substitute agreed to in conference are noted below, except for clerical corrections, incidental changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

### SHORT TITLE

(Senate—Section 1)

The Senate amendment did not amend the Foreign Assistance Act of 1961 in the same manner as did the House bill. Section 1 of the Senate amendment provided that this legislation might be cited as the "Special Foreign Assistance Act of 1971."

The House receded.

### AUTHORIZATION OF FUNDS

(House—Sections 1, 2, and 4; Senate—Sections 2 and 5(a))

The House bill amended the Foreign Assistance Act of 1961, as amended, by increasing the authorizations contained in that act in the following respects: (1) supporting assistance from \$414.6 million to \$609.6 million (section 1); (2) contingency fund from \$15 million to \$30 million (section 2); and (3) military assistance from \$350 million to \$690 million (section 4).

In lieu of amending the Foreign Assistance Act, the Senate amendment to H.R. 19911 was a line-item authorization for specific amounts for specific purposes. Both the amounts and the allocations for programs proposed by the Executive are identical in the House bill and the Senate amendment, except for a reduction of \$5.8 million for military assistance for Korea.

(4)



The Senate receded on the amount of military assistance for Korea and accepted the amount contained in the House bill. The managers on the part of the House accepted the line-item structure contained in the Senate amendment.

#### APPLICABILITY OF THE FOREIGN ASSISTANCE ACT OF 1961

(Senate—Section 4)

The House bill amended the Foreign Assistance Act of 1961, as amended. The Senate amendment to the House bill is written as a separate measure rather than as an amendment to that act. Hence the provisions of the Foreign Assistance Act pertaining to the use of funds are not applicable under the terms of the Senate language unless specific reference is incorporated in the Senate version.

The managers on the part of the House were agreed that the provisions of the Foreign Assistance Act should apply to the administration of funds authorized to be appropriated by this bill and, therefore, accepted the Senate language.

#### RESTRICTIONS ON U.S. INVOLVEMENT IN CAMBODIA

(Senate—Section 6)

Section 6(a) of the Senate amendment, restricting United States involvement in Cambodia, would prohibit the use of any funds authorized or appropriated under this or any other act from being used to finance the introduction of U.S. ground combat troops into Cambodia, or to provide U.S. military advisers to or for Cambodian military forces in Cambodia.

The House bill did not contain a comparable provision.

The managers on the part of the House agreed to accept the Senate amendment. It is the understanding of the House conferees that the restrictions imposed as a result of this amendment would not prevent the use of U.S. troops in border sanctuary operations designed to protect the lives of American soldiers. It is also the understanding of the managers on the part of the House that U.S. military personnel can be provided to supervise the distribution and care of U.S. military supplies and equipment deliveries to Cambodia, and that the restriction on the use of U.S. military advisers does not preclude the training of Cambodian soldiers in South Vietnam.

Section 6(b) of the Senate amendment stated that military and economic assistance authorized or appropriated pursuant to this or any other act shall not be construed as a commitment by the United States to Cambodia for its defense.

The House bill had no comparable provision.

The House conferees accepted the Senate language which has substantially the same meaning as section 650 of the Foreign Assistance Act of 1961.

## LIMITATION UPON ADDITIONAL ASSISTANCE TO CAMBODIA

(Senate—Section 7)

The Senate amendment added a new section 652 to the Foreign Assistance Act of 1961, as amended. The new section requires the President to notify the Speaker of the House of Representatives and the chairman of the Senate Committee on Foreign Relations 30 days in advance (10 days in an emergency) that he intends to use the transfer authority granted to him under sections 506(a), 610(a), and 614(a) of the Foreign Assistance Act of 1961, as amended, in order to provide additional assistance to Cambodia.

The House bill did not contain a comparable provision.

The managers on the part of the House accepted this provision in the belief that it would not interfere with or impede the program of assistance to Cambodia for the following reasons:

Military and economic assistance has already been furnished to Cambodia consistent with that country's ability to absorb the inflow of equipment and goods.

Witnesses from the executive branch were satisfied that the funds requested for Cambodia are sufficient to enable that country to defend itself over the next 6 months.

The situation in Cambodia is such that any additional requirement for military or economic assistance for that country will be apparent far enough in advance to enable the President to make additional assistance available to Cambodia and to notify the Congress in accordance with the provisions of this section.

There will be a new foreign assistance request submitted to the Congress next year. At that time, the Foreign Affairs Committee will examine the implications and effects of this amendment thoroughly and take whatever action it deems necessary to insure the continued success of the Vietnamization program.

## AMENDMENT TO TITLE

The Senate amended the title of the House bill to reflect the action taken by the Senate.

The House receded.

THOMAS E. MORGAN,  
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